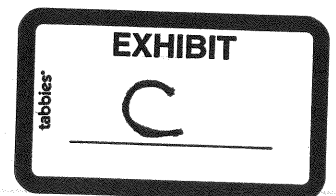


IN THE FORT BERTHOLD DISTRICT COURT

)	Case No. _____
Marilyn Hudson and Raymond Cross)	
Plaintiffs)	AFFIDAVIT OF RAYMOND CROSS
v.)	
Tribal Business Council, Three Affiliated Tribes)	
Defendants)	

I, Raymond Cross, am over the age of eighteen and understand the obligation of an oath. Being duly sworn, I hereby state the following:

1. I am an enrolled member of the Three Affiliated Tribes (TAT) of the Fort Berthold Reservation, ND.
2. I was born in Elbowoods, ND, on August, 24, 1948 and I was removed from that area of the Reservation in the early 1950s—along with my mother and father and my nine brothers and sisters—to make way for the construction of the Garrison Dam and the creation of the large reservoir known as Lake Sakakawea.
3. I grew up in Parshall, ND and I attended that town's public school system until I graduated from Parshall High School in 1966 and left the Reservation to attend college at the age of eighteen.
4. I graduated from Stanford University in 1970 with an A.B. in Political Science and from Yale Law School in 1973 with a Juris Doctor (J.D.) degree.



5. I am presently a retired Professor Emeritus of Law at the University of Montana School of Law (as conferred by the Board of Regents of the University System of Montana upon my retirement in July, 2014).

6. I presently reside at: 2236 E. Third Street, Tucson, AZ 85719, and the distance in road miles, one way, from Tucson to New Town, ND is 1,586.7 miles.

7. Based on my increasing difficulty in walking, standing and maintaining my balance, I was ultimately diagnosed on or about August 2, 2014, by a Mayo Clinic (Rochester, MN) neurologist, Dr. Klassen—based on his clinical analysis of my bodily movements, as well as an MRI of the mid-thoracic area of my spine—as having a Class 2 tumor located at the T-6 vertebrae of my spine.

8. On August 5, 2014, a Mayo Clinic neuro-surgeon, Dr. Lanzino, operated on my spine and attempted to resect (remove) the tumor but was unable to do so because, based upon his visual inspection of the tumor in its relation to the spinal cord itself, he discovered that tumor had, in fact, grown inside of the spinal canal and had literally fused itself with the spinal cord thereby making its removal impossible.

9. Since that failed spinal surgery in August, 2014, I have experienced continuing loss of mobility and function in my lower extremities, most particularly in my legs but as well in those organs that are located below my waist.

10. In that regard, I have been hospitalized multiple times in the last two years due to severe kidney and urinary tract infections that are, in themselves, increasingly difficult to treat medically because of their growing resistance to all but the most potent type of infusion-based anti-biotics.

11. Additionally, my heart-- due to my significantly diminished capacity for any meaningful cardio-based exercise--has been thrown continuously "out of rhythm " and my present cardiologist at

the Mayo Clinic (Phoenix) had to recently perform an ablation procedure on my heart in preparation for the subsequent insertion of a leadless pacemaker into my aorta to restore the rate of my heartbeat to a steady 60-70 beats a minute.

12. Due to my multiple disabilities, I have attempted an airplane flight only once in the last four or more years and that was to attend my son's graduation ceremony from the University of Chicago School of Law in early June, 2018.

13. Furthermore, due to my physical situation I am required to fly—with my wife accompanying me—in the first class cabin of the airplane because I cannot readily rise, without extreme difficulty from my low airplane seat, so as to allow other passengers access to my row of seats.

14. I also have to ask the relevant airline as well as the relevant cabin attendants to make accommodations for the fact that I cannot use the regular lavatory facilities as provided by the airline, sometimes to the great consternations of particular flight attendants.

15. While in Chicago attending my son's law school graduation, I slipped on the wet floor of the hotel's bathroom and that event occasioned an emergency call to the Chicago Fire Department (CFD) who dispatched a crew of four firefighters and paramedics to assist me in regaining my footing so I could proceed safely, with the aid of my walker, to the day's other activities.

16. While I am able to navigate around my home with the aid of a four-wheeled walker, I am physically unable to traverse any distance of more than a 100 yards without electric cart or wheelchair assistance which, unfortunately, is many times unavailable even in large public facilities.

17. For these above cited health and physical disability related reasons, I believe I should be exempted from the impracticable, if not impossible, burden of having to "return to the [Fort Berthold] Reservation in order to vote" in any and all tribal elections as is presently required by the Tribal Business

Council's requirement that is directed to any and all non-resident members of the Three Affiliated Tribes.

18. I will provide medical releases to allow this Court and the defendants, upon appropriate request, to assess my medical condition related to my affidavit.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY,

Signature: _____

Subscribed and sworn to before me this ____ day of October, 2018.

Notary Public

My commission expires on _____